Sectt. 27-37—50,000—27-10-4

Home (1942) Department.

1G SERIES. p.12(9)

G.O. No. 1455

Dated 8.4.1942

M

[Despatch Abstract.]

Jails - Central Jail, Bellary - Posts of the manager, wool section and of the carding and spinning jobber - Declared as independent for purposes of Fundamental Rule 49 - Proposal to relax subsidiary rule (2) under Fundamental Rule 103(a) negatived.

C.F. 32.

JAIL Department

From (Name) Major G.S.Gill, O.B.E., I.M.S.,
Designation Inspr.Genl. of Prisons,
Station Madras.

UNDER SECRETARY TO GOVERNMENT
27 JAN 1942

Received Registered 03365 C 27.1.42

To
The Secretary to Government,
Home Department,
Madras.

Enclosures:

No. Roc.439-B4-42 dated 23rd January 1942.

Sir,

Subject: Central Jail, Bellary - Additional allowance to the Carding and Spinning Jobber under F.R.49 for holding additional charge of the post of the Manager, Wool Section.

Sri K. Devadass, Manager, Wool Section, Central Jail, Bellary was granted two months leave on average pay with effect from 7-10-1941, and an extension of 3 months leave on medical certificate in continuation. The Carding and Spinning Jobber of the Central Jail, Bellary was ordered to take charge of all the machines, tools and plant etc. from the Manager during the period of his leave. A copy of the order placing him in charge of the Spinning Mill in addition to his own duties is enclosed The Carding and Spinning Jobber on Rs. 28/- (Fixed pay) has put in a petition requesting to grant him additional allowance under F.R. 49 for having held the additional charge of the post of the Manager on Rs. 125/- (personal) (Revised scale Rs. 70-100) in addition to his own and the Superintendent of the Jail has recommended the grant of the additional pay under Rule 49 of the Fundamental Rules as he was holding full additional charge of the post.

2. In G.O.No.Ms.4013, Home Department, dated 24th July, 1939 when the Manager, Wool Section was holding the additional charge of the post of the Cumbly Weaving Foreman, in addition to his own duties Government declared these two posts as independent for purposes of F.R. 49 and directed the payment of the additional pay to the Manager.

3. The Carding and Spinning Jobber has been holding the full additional charge of the post of the Manager, Wool Section, from 7-10-41 and has been discharging his duties satisfactorily. He possesses the following qualifications:

1. 6 years course in Machinery fitting in the P.T. Chengalaroya Naickers Institute, Madras and possesses a II Class Certificate issued by the Institute.

2. Practical Training in the Government Textile Institute, Madras, in power cotton and wool spinning silk throwing reeling etc.

3. Certificate of award of merit for an exhibit of lock and key.

4. Type-writing - Intermediate - Pitmans Commercial Examination.

4. Under these circumstances, I request that Government may be pleased to declare these two posts as independent for purposes of F.R. 49 and permit the Jobber to draw additional pay under F.R. 49 for the period of additional charge he held.

2

It is proposed to grant him 1/5 of his pay viz. Rs. 28/- under instruction (1)(a) under Rule 49 of the Fundamental Rules.

5. I also request that Government may be pleased to waive the proviso 2 to F.R. 103 that there be no extra expenditure to Government by the grant of leave to the Manager, Wool Section, since the post of the Manager, Wool Section is a temporary one attached to the Manufactory Department.

Major, I.M.S.,
Inspector General of Prisons.

Copy of Jail Order Book No. 208, dated 6th October, 1941.

Subject: Grant of leave to Sri K. Devadoss, Manager, Wool Section.

Consequent to Inspector General's No. 97-B2-41, dated 1st October, 1941, Sri K. Devadoss, Manager, Wool Section is granted leave on average pay for two months from this day the 6th October 1941 afternoon.

He should hand over all the machines tool and plant etc., in his charge to Sri Sarangapani, Carding and Spinning Jobber who will be in charge of the Spinning Mill, in addition to his own duties during the absence of Sri K. Devadoss.

16/- 3/- T.M. Home Dept.

From The Under Secy. to Govt., Home Dept.

To the I.G. of Prisons.

Jails - Establishment - C.J., Bellary. Addl. allowance to the Carding and Spinning jobber under Rs. 49 for holding addl. charge of the post of the Manager, Wool section - Ref. Your letter Roc no. 4389/Bel/42 dt. of 23.1.42

Please furnish particulars of the duties attached to the post of the Carding and Spinning jobber in the C.J. Bellary. Please also state whether there are any reasons for not appointing a full time substitute for the manager's post

Ans 31/1/42

[illegible] 31/1

Issued 2/2/42

[illegible] 3/2/42

P.C. to Go

(RW 15 days)

Note

The duties performed by the Manager, Wool section of the Bellary jail are specified in the I.G.'s letter on p. 4 of Go. no. 3874 Home dt. 8.8.38.

Ans 31/1

[illegible] 31/1

C.F. 32.

J A I L Department	Received ..... Registered 04813 9-2-42
From (Name) Major G.S.Gill, O.B.E., I.M.S.,	To
Designation Inspr. Genl. of Prisons	The Under Secretary to Government, Home Department,
Station M a d r a s.	M a d r a s.

Enclosures:

No. Roc.439-B4-42 dated 7th/22nd January 1942.

Sir,

Subject: Central Jail, Bellary - Additional allowance to the Carding and Spinning Jobber under F.R. 49 for holding the additional charge of the post of the Manager, Wool Section.

Reference: Your Telephonic Message dated 2nd February, 1942.

The duties attached to the post of Carding and Spinning Jobber in the Central Jail, Bellary are as follows:--

1. Wool washing and drying.
2. Cleaning and oiling of machines.
3. Opening of the wool passing to the carders and making the carded wool into condensed sliver.
4. Working at the spinning frames and teaching work to the convicts and extracting work from them.
5. Stripping the carders, grinding with emery grinder and stitching of the slackened belts once a week.
6. Attending to miscellaneous work and repairs to the machinery under the direction of the Manager, Wool Section.

2 The reasons for not appointing a full time substitute for the Manager's post are the following:

The Manager, in the first place, applied for two months leave from 19th September 1941 due to ill health and the Superintendent recommended the leave and said that local arrangements would be made to carry out his duties. Accordingly the two months leave applied for was granted, local arrangements being ordered as recommended by the Superintendent, and the Manager, Wool Section, was relieved with effect from the afternoon of 6th October 1941 - vide copy of the Jail order book No. 208, dated 6th October 1941 of the Superintendent, Central Jail, Bellary. On 8-12-1941 the Superintendent reported that the Manager, Wool Section had applied for an extension of two months leave from 7th December 1941. On 11th December 1941 the Superintendent reported that the Manager, Wool Section got himself admitted as an inpatient in the Government General Hospital, Madras, and that he requested the Superintendent, Central Jail, Bellary to send a Medical requisition and that the requisition was sent to the Hospital the same day. On 15th December 1941, the Superintendent was asked to report the result of the medical examination and was also informed that the existing arrangements to carry out the duties of the Manager should continue for the time being as the extent of leave required by the Manager was not known. On 22nd December 1941, the Superintendent sent the medical certificate from the Physician Government Gen ral Hospital, recommending an extension of three months leave from 7-12-41 to 6-3-42. As the unexpired portion of the leave on the date of receipt of the Medical Certificate was only 2 months and odd no substitute could be appointed for this short period since it would take a long time to select a substitute after calling for applications by advertisement, inserting notification in the Gazette etc.

16

etc.

For Inspector General of Prisons.

Home Department.

Subject: JAILS- Central Jail, Bellary- Posts of the manager, wool section and of the carding and spinning jobber- Declared as independent for purposes of F.R.49- Proposal to ~~waive the~~ relax subsidiary rule (2) under F.R.103(a) negatived.

Read also: From the I.G. of Prisons, No.Roc.439-B4-42, dated 23-1-42.
From the I.G. of Prisons, No.439-B4-42, dated 7.2.42.

ORDER.MS.NO. 1455 dt 8.4.42

The Govt. are pleased to declare that the posts of the manager, wool section, and of the carding and spinning jobber in the Central Jail, Bellary, should be regarded as independent for the purpose of rule 49 of the Fundamental Rules.

2. The Govt. are not prepared to accept the proposal of the I.G. of Prisons to waive the condition in subsidiary rule 2 under F.R.103(a) that there should be no extra expenditure to Govt. ~~by~~ on account of the grant of leave to the manager of the wool section. ~~They, however, direct that~~ The leave salary of the manager should be reduced by Rs.5-9-0 p.m. and ~~that~~ this sum should be paid to the jobber as additional pay under F.R.49.

11.3.42
12.3.42

15/3

To the I.G. of Prisons.
the A.G. thro' the Fin.dept.
~~Copy to the Fin.dept.~~

Re CR

C 19423 C-1

B.E. 18. O.F. 304.

OFFICE OF THE

Date ..... 194..., Hours 12 Minutes 10

TELEPHONIC MESSAGE

From	To.
9 S of Prins	Us Hom Dek

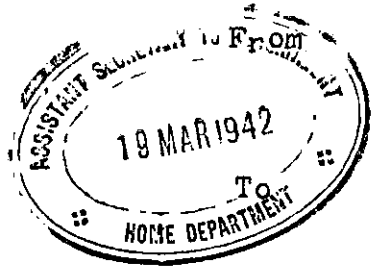
Central Land, Bellary
Addl allowance to Cadm
& Spinning Jobber under
4 or 49. For binding
addl charge - Ref
your t.m.d 16.3.42
—

The Manager was
granted leave
under the Fundamental
Rules

Sd
18/3

C 2 G 3383 1936 C 19-3-42

Post copy of telephonic message dated 18th March 1942.



The Inspector-General of Prisons,
Madras.

The Under Secretary to Government,
Home Department, Madras.

Central Jail, Bellary - additional allowance to carding and spinning Jobber under Fundamental Rule 49 for holding additional charge.

Ref: Your telephonic message dated 16-3-1942.

The Manager was granted leave under the Fundamental Rules.

For Inspr.-Genl. of Prisons.

Tss.28.3.

Home Department.

Subject:- Jails- Establishement- C.J., Bellary- Posts of manager, wool section, and the spinning and carding jobber- Proposal to declare them independent of F.R. 49-

From the I.G. of Prisons, Roc.No.439-B4-42, dated 23-2-42.
(T.M., dated 2-2-1942)
(C.No.4813) From the I.G. of Prisons, Roc.No.439-B4-42 dated 7-1-42

The I.G. of Prisons proposes

(1) that the posts of the manager, wool section, and the carding & spinning jobber in the C.J., Bellary, may be declared as independent for purposes of F.R. 49 so as to permit the latter to draw addl. pay for the period he held charge of the manager's post; and

(2) that the proviso to subsidiary rule (2) under F.R.103 may be waived to enable the wool manager to draw pay during the period of his leave.

2. Proposal (1) above: Please see paras 1-4 of the I.G.'s letter on pp.1-2 c.f. The jobber has been holding charge of the manager's post since 7-10-41. The scale of pay attached to the manager's post is Rs.70- 100 and the jobber is on a fixed pay of Rs.28/ The jobber possesses the qualifications mentioned in para 3, p.1c.f and those required for the manager's post are specified in rule 6 of the rules issued with G.O.No.1876 Home, dated 17-4-41. In para 2 of his letter on pp.5-6 c.f., the I.G. has detailed the reasons for not appointing a full time substitute for the manager's post. In view of the duties attached to the two posts which are enumerated in the I.G.'s letter on p.4 of G.O.No.3874 Home, dated 8-8-38 and in para 1, p.5 c.f., it will be seen that the posts are independent. For orders whether the jobber may be declared to be eligible for additional pay for holding charge of the manager's post, and if so, the proposal to grant him 1/5th of his pay under instruction (1)(a) under F.R.49 may be accepted.

3. Proposal (2) above: Under S.R. 2 under F.R. 103, the grant of leave to the temporary establishments should involve no extra expense to the Govt. The Govt. reserve the power to waive the proviso that there should be no extra expense in special cases. Mr. K.Devadass, manager of the wool section, who is borne on the temporary manufactory establishment, was granted 2 months leave on average pay with effect from 7-10-41 and an extension of

C.

3 months leave on medical certificate in continuation. No substitute was appointed in his place but the jobber was asked to take charge of the manager's duties. The jobber has not been given any remuneration for the additional charge till now. If the proposal in para 2 above is accepted, the jobber will have to be granted 1/5th of his pay(Rs.28), as additional allowance. As the extra expense to Govt. involved in the grant of leave to the ~~xxxx~~ manager is ~~not considerable, it is for~~ less than what would it would have not Govt to apply — substitute, does not apply.
orders whether the proviso ~~may be waived, as proposed by the I.G.~~

Attention is invited to the notes on pp.3-9 of G.O.No.4749 Home, dated 27-10-41, in which the question of grant of leave with pay to the manufactory staff in jails was discussed.

4- Finance may see for remarks.

Au
12.2.42
14/2/42

Finance (C.S.R)

The proposal of Home in para 2 on page 1 ante may be accepted.

2 (As regards the point mentioned at B in para 3 of the Home dept's note, it is submd that) the term "no extra expense to Govt" mentioned in subsidiary rule 2 below F.R. 103 (a) can only mean that, by the grant of leave, there should be no additional expenditure to Govt. on any account. The extra expenditure that may have to be incurred may be either on paying a salary to a substitute appointed in the place of the man going on leave, or on paying additional pay under F.R. 49 to another Govt. Servant for doing the duties. Though the latter arrangement will generally be cheaper than the former, the expenditure on additional pay is an ~~addl~~ expenditure in addition to leave salary (equal to full pay) of the man going on leave. Consequently, unless the Govt. waive

the condition in Subsidiary rule 2, either the jobber in this case cannot be paid additional pay, or the additional pay to the jobber should be paid, the leave Salary of the Manager should be reduced correspondingly.

On the question whether the condition that there should be no extra cost to Govt. by the grant of leave to the Manager may be waived, reference is invited to the note of this dept. on pages 5-6 of Cp. 4149 Home Dy 15.9.41 and Dy. Secretary's remarks on page 9 of Cp. 4749 Home Dy 27.10.41. It would appear that the Manager, Wool Section, who went on leave, is drawing a pay of Rs 125 per mensem, whereas the additional pay that will be granted to the jobber will be only Rs 5-9-0 p.m. It cannot be said that the reduction of the Manager's leave Salary of Rs 125/- by Rs 5-9-0 would result in hardship to him. In the circumstances, there seems to be no case for waiving the condition. The Manager's leave Salary may be reduced by Rs 5-9-0 p.m & this sum given to the jobber as additional pay under F.R. 49

(K)
(E)

of A and CF

J8468C
9-3-42

ASSISTANT SECRETARY TO GOVERNMENT
- 8 MAR 1942
HOME DEPARTMENT

5.3.42

5.3.42

R/S Home

Fin no. 9010 1 CM

C2

NDER SECRETARY TO GOVERNMENT

Home Dept.

Finance have agreed that the posts of the manager, wool section and of the carding and

Spinning jobber in the Bellary jail may be regarded independent for the purpose of F.R. 49. They, however, consider that there is no case for waiving the condition in subsidiary rule 2 under FR 103 that there should be no extra expenditure to flow out by the grant of leave to the manager. Please see para 2 of that Dept's note on pp. 2-3 ante. Orders whether the suggestion of Fin. Dy. Secy. on p. 3 ante may be accepted. If so, the draft order submitted on p6 ante is for consideration.

4a
1.3.42
pm
13.3.42

Just verify whether the manager was granted leave under sub rule 2 of FR 103 or under the Madras Leave Rules. See notes in (E) from following T.N. 4 19. "Please say whether the leave granted to the manager was under the Madras Leave Rules or under the F.Rs."

15/3

P.C.
P.T.
Sec/Dept

In reply to the above t.n., the I.G. says that the manager was granted leave under F.Rs. For orders.

Fin Dy Secy's suggestion may be accepted

4a
19/3/42
Pm
19.3.42

23/3

pl
The draft order already approved may issue.
Pm
24
Draft
7/4

What was the
point of CR's
survey of 1973?

CH-S/h

Please see the notes on
FO 4749 of 27.10.41 (E)
* para 2 of ... note on p 7
of that F.O. file the campaign
was governed by the Nuclear Risks
Rules, sub. rule 2 of JR 103 would
not apply - the question of war ...
the condition in that rule would
not arise.

28/3 S.